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APPLICATION NO. **FILING DATE** FIRST NAMED INVENTOR ATTORNEY DOCKET N 09/057,786 04/08/98 BORSETH Ţ MS1-240US **EXAMINER** 022801 WM01/0802 LEE & HAYES PLLC TRAN, H 421 W RIVERSIDE AVENUE SUITE 500 **ART UNIT** PAPER NUMBER SPOKANE WA 99201 2611

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

08/02/01

Office Action Summary			lication No.		Applicant(s)		
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I HE - Exte after - If the - If NO - Failu - Any	MAILING DATE OF THIS COMMUNI ensions of time may be available under the provisions of SIX (6) MONTHS from the mailing date of this comme period for reply specified above is less than thirty (30 period for reply is specified above, the maximum staure to reply within the set or extended period for reply reply received by the Office later than three months are departed term adjustment. See 37 CFR 1.704(b).	ICATION. of 37 CFR 1.136 (a). I nunication. io) days, a reply within t atutory period will apply will by statute cause t	In no event, however the statutory minim y and will expire SIX	er, may a reply be tim num of thirty (30) days X (6) MONTHS from the	nely filed s will be considered time the mailing date of this	ely. communication.	
1)	Responsive to communication(s) file	ed on					
2a)⊠	This action is FINAL .	2b)⊡ This acti	on is non-fina	al.			
3)□	3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Dispositi	ion of Claims						
4)🖂	4)⊠ Claim(s) <u>1-10 and 12-42</u> is/are pending in the application.						
	4a) Of the above claim(s) is/are withdrawn from consideration.						
5)	5) Claim(s) is/are allowed.						
6)⊠	6)⊠ Claim(s) <u>1-10, 12-42</u> is/are rejected.						
7)	Claim(s) is/are objected to.						
8)[8) Claims are subject to restriction and/or election requirement.						
Applicati	ion Papers						
9)	9)☐ The specification is objected to by the Examiner.						
	10) The drawing(s) filed on is/are objected to by the Examiner.						
11)☐ The proposed drawing correction filed on is: a)☐ approved b)☐ disapproved.							
Priority u	ınder 35 U.S.C. § 119						
-	13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. \$ 119(a)-(d) or (f).						
_	a) ☐ All b) ☐ Some * c) ☐ None of:						
• =	1. Certified copies of the priority of	documents have	been receive	ed			
	2. Certified copies of the priority documents have been received in Application No						
	3. Copies of the certified copies of the priority documents have been received in this National Stage						
	application from the International Bureau (PCT Rule 17.2(a)).						
* See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).							
76/10 Mode de la claim for domestic priority drider 35 0.3.0. § 119(e).							
Attachment	t(s)						
(6) 🔲 Notic	ice of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (P rmation Disclosure Statement(s) (PTO-1449) P		19) 📙 N	nterview Summary Notice of Informal P Other:	(PTO-413) Paper N Patent Application (P	lo(s) PTO-152)	

U.S. Patent and Trademark Office PTO-326 (Rev. 01-01)

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DETAILED ACTION

Response to Arguments

Applicant's arguments filed May 08, 2001 have been fully considered but they are not persuasive.

Claims 1 and 5, applicant argued on page 13, "none of the tables in Figs. 2a-e shows a channel-to-frequency mapping tables being indexed by the country table so that selection of a country in the country table references an associated channel-to-frequency mapping table for the selected country".

In response to applicant's argument, the Examiner respectfully disagrees with argument above. It is noted Kohashi's Fig. 2a and col.8, lines 32-35 shows a channel-to-frequency mapping table stored in the first memory 7 of Fig.1 and at Col.8, lines 53-55 wherein a corresponding relationship among positions, channels and broadcasting station codes set as a result of automatic channel presetting are stored in the fifth memory 11 of fig.1. The Kohashi's automatic channel presetting mode is based on the corresponding relationship (relational database) in retrieval preferential order between the countries and the plurality of kinds of broadcasting station identification information stored in the first memory, thus in the presetting mode, a relational database matches information from a field in one table (fig.2a) with information in a corresponding field of another table (Fig.2b) to produce a third table (fig.2e) that combine data from both tables see Fig.2a-e and Fig.11a-d. Therefore, Kohashi's tables must be indexed in order to perform such relational database described in the process of "automatic channel presetting. Thus Kohashi clearly meets the limitation claimed "the channel-to-

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frequency mapping tables being indexed by the country table so that selection of a country in the country table references an associated channel-to-frequency mapping table for the selected country".

Claims 2 and 6, applicant argued Koahshi does not disclose, "wherein the country table lists the countries according to a uniquely assigned country code".

In response, the Examiner respectfully disagrees because Kohashi's automatic channel presetting mode is based on the corresponding relationship (relational database) in retrieval preferential order between the countries and the plurality of kinds of broadcasting station identification information. Thus in Kohashi's system the unique country code is the country's name itself such as France, Germany, Japan, but not the preferential orders (VPS->8/30/F1->PDC) as indicated by applicant (Col.5, lines 2-14).

Claim 3, applicant argued "ITU standard provides no teaching or suggestion of the channel-to-frequency mapping tables being indexed by the country table so that election of a country in the country table references an associated channel-to-frequency mapping table for the selected country."

In response, in combination with the previous answer of claim 1, the Examiner respectfully disagrees and since ITU standard is well known to those skill in the art, the use of ITU's country code in place of Kohashi' country code is obvious so to conform to the ITU standard (see analysis of previous Office action office action claims 3 and 7.

Claim 9, applicant argued, "applicant is not claiming DLL, per se, but a specific television tuning component that is embodied in a DLL."

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In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., but a specific television tuning component that is embodied in a DLL) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Furthermore, the Examiner cites "a tuner control signal corresponding to a frequency f1 is first sent from the microprocessor 3 waits that the frequency of PLL (not shown) in the tuner circuit 2 becomes stabilized to fl and ATF signal is sent out from the tuner circuit 2" (Co.10, lines 5-10). Thus, Kohashi clearly meets the claimed limitation of "a specific television tuning component". As discussed in the previous Office action that DLL is well known in the computer art under Microsoft Windows environment, it would have been obvious to one of ordinary skill in the art to modify Kohashi by developing software for "a specific television tuning component" as DLL so that DLL file does not consume memory until it is used, and because DLL is a separate file, a programmer can make corrections or improvements to only that module, i.e., "a specific television tuning component" without affecting the operation of the calling program or any other DLL files.

Claim 12, Applicant argued, "Kohashi is silent to a tuner module that retrieves the stored tuning frequencies to restore operation in the particular locale upon transporting the tuner back to the particular locale."

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In response, Kohashi's system performs "an automatic channel presetting mode" and stored all the available tuning frequencies in memory and the action of retrieving the stored tuning frequencies to restore operation in the particular locale upon transporting the tuner back to the particular locale is inherent. Since, the detection of the broadcasting station code is performed in accordance to with a predetermined order based on information of the country code (Col.5, lines 15-22); Therefore, Kohasi's system meets the claimed limitation.

Claim 16, Applicant argued "a second tuner module different from the tuner module, the second tuner module being used to replace the tuner module during upgrade without replacing the tuning circuitry and the decoding circuitry" are not described in the cited art.

In response, the Examiner respectfully disagrees because in the previous office action the Examiner explained that DLL is well known in the computer art under Microsoft Windows environment, it would have been obvious to one of ordinary skill in the art to modify Kohashi by developing software for "a specific television tuning component" as DLL. Each DLL file represents each module, i.e., a tuning module. And because DLL is a separate file for each module, a programmer can make corrections or improvements to only that module, i.e., "a specific television tuning component" without affecting the operation of that current active DLL file. After, the correction or improvement of the current active DLL file (second tuner module), the system has to be

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rebooted and to load the newly corrected DLL file into the system's memory and to make it active without replacing the tuning circuitry.

Claim 17, applicant argued "applicant is not claiming that APIs in general are new; rather, applicant is claiming a set of API's that "expose functionality of the tuner module to an application program"."

In response, the Examiner respectfully disagrees because in combination with previous answer of claim 16, API is a set of routines used by an application program. Since Kohashi's system comprises CPU to process all the functions claimed with respect to the countries code and information stored in memories as a relational tables (database), Kohashi's system must have OS and software/application software in order to perform these sets of routines or functions on its system as disclosed.

Claim 27, applicant argued Kohashi "does not disclose an API with various methods that may be called by a software application to perform the various functions".

In response, the Examiner respectfully disagrees with argument above. It is noted that Kohashi's system comprises CPU to process all the functions claimed with respect to the countries code and information stored in memories as a relational tables (database). Since API is well known in the computer art under Microsoft Windows environment, Kohashi's system must have software/application software in order to perform these sets of routines or functions on its system as disclosed.

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Claim 28, applicant argued, "though Official Notice was taken of the existence of the ITU, no art teaching or suggesting the claimed features has been cited regarding selecting a set of TV channel-to-TV frequency mapping using an ITU."

In response, the Examiner respectfully disagrees and refers applicant to previous Examiner's answer for claim 1 with respect to limitation "selecting a set of TV channel-to-TV frequency mapping." Furthermore, Kohashi discloses selecting a country code through a country/frequency table (fig.2a) in relationship with a set of broadcasting codes and guide channels of individual countries (Fig.11c), thus Kohashi meets the limitation "TV channel-to-TV frequency mapping for use in a particular country " and since ITU standard is well known to those skill in the art, the use of ITU's country code in place of Kohashi's country code is obvious so to conform to the ITU standard (see analysis of previous Office action office action claims 3 and 7.

Claim 36, applicant argued Kohashi does not disclose, "scanning for a better quality frequency within the channel."

In response, the Examiner cites "a tuner control signal corresponding to a frequency f1 is first sent from the microprocessor 3 waits that the frequency of PLL (not shown) in the tuner circuit 2 becomes stabilized to fl and ATF signal is sent out from the tuner circuit 2" (Col.14, lines 17-25). Thus, Kohashi clearly meets the claimed limitation of "scanning for a better quality frequency within the channel."

Claim 40, applicant argued, "with respect to claim 12, Kohashi does not disclose storing the tuning frequencies for the first locale so that upon transporting the tuning

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system back to the first locale these stored tuning frequencies can be retrieved to restore operation in the first locale."

In response, Kohashi's system performs "an automatic channel presenting mode" and stored all the available tuning frequencies in memory, the action of tuning the system to the first locale frequency setting upon transporting the tuning system back to the first locale is inherent, since the detection of the broadcasting station code is performed in accordance to a predetermined order based on information of the country code (Col.5, lines 15-22); therefore, Kohashi meets the claimed limitation.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4, 5, 6, 8, 10, 12, 32, 33, 35 - 38, 40 and 41 are rejected under 35
 U.S.C. 102(b) as being anticipated by Kohashi (EP 0 723367 A2).

Regarding claims 1 and 5, Kohashi discloses a television tuner comprising:

A country table listing a plurality of countries (Fig.8).

Multiple channel-to-frequency mapping tables (Fig.2a) correlating channel numbers to corresponding frequencies for associated countries in the country table (fig.11C), the channel-to-frequency mapping tables being indexed by the country table so that selection of a country in the country

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table references an associated channel-to-frequency mapping table for the selected country (Fig. 2C and 12; Col.8, lines 20-55+). The Kohashi's automatic channel presetting mode is based on the corresponding relationship (relational database) in retrieval preferential order between the countries and the plurality of kinds of broadcasting station identification information stored in the first memory, thus in the presetting mode, a relational database matches information from a field in one table (fig.2a) with information in a corresponding field of another table (Fig.2b) to produce a third table (fig.2e) that combine data from both tables see Fig.2a-e and Fig.11a-d. Therefore, Kohashi's tables must be indexed in order to perform such relational database described in the process of "automatic channel presetting. Thus Kohashi clearly meets the limitation claimed "the channel-to-frequency mapping tables being indexed by the country table so that selection of a country in the country table references an associated channel-to-frequency mapping table for the selected country".

A tuning device (Fig.1, element 2) to tune to a particular frequency within the channel-to-frequency mapping table associated with the selected country upon selection of corresponding channel (Col.4, lines 5-20).

Regarding claims 2 and 6 Kohashi further discloses wherein the country table lists the countries according to a uniquely assigned country code (Fig.2C).

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Regarding claims 4 and 8; Kohashi further discloses wherein the channel-to-frequency mapping tables also contain a television standard for the associated countries (Fig.2A, 2C, Col.10, lines 26-40).

Regarding claim 10, Kohashi further discloses a television-tuning component (Fig.1, element 2).

Regarding claim 12, Kohashi further discloses a tuner comprising:

Tuner circuitry (Fig.1, elements 2, 5 and 6; Fig.17, element 2) to tune to a various television frequencies carrying television video signals;

A tuner module coupled to adjust the tuner circuitry to scan multiple channels within a particular locale for corresponding tuning frequencies (CoI.9, lines 44-CoI.10, line 43; and CoI.14, lines 17-25), the tuner module storing the tuning frequencies for the particular locale (CoI.5, lines 15-22 and CoI.8, lines 20-55+);

Upon transporting the tuner to a new locale, the tuner module scans multiple channels within the new local for corresponding tuning frequencies (Col.10, lines 25-42);

Upon transporting the tuner back to a particular locale, the tuner retrieves the stored tuning frequencies to restore operation in the particular locale (Col.5, lines 2-26).

Regarding method claim 32, see analysis of apparatus claims 1 and 5.

Regarding method claim 33, see analysis of apparatus claim 2.

Regarding method claim 35, see analysis of apparatus claim 4.

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Regarding method claim 36, Kohashi further discloses the step of scanning for a better quality frequency within the channel (Col.15, lines 53 – Col.16, lines 36).

Regarding method claim 37, see analysis of apparatus claims 1 and 5.

Regarding method claim 38, see apparatus claim 4.

Regarding method claim 40, see analysis of claim 12.

Regarding claim 41 see analysis of claim 36.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

 Claims 3, 7, 27 - 30 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Kohashi (EP 0 723367 A2).

Regarding claims 3 and 7, Kohashi discloses a country table list country (Fig. 2C and 12; Col.8, lines 20-55+), but fails to specifically disclose country table lists according to ITU code.

Official Notice is taken that the ITU standard provides a table to identify each country used in the transmission/communication to identify each country, as is well known to those skilled in the art.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the ITU standard designation codes considered a design choice to conform to a developed and utilized standard such as the ITU, providing the designations for each country so that upon decoding of the codes associated with the channels associated with the countries, merely or based on the knowledge of conforming to the ITU designations/standard.

Regarding claim 27, in combination with claims 3 and 7, Kohashi further discloses methods for performing the following functions (see Col.5, lines 2-14, Col.9, line 1 - Col.11, lines 10 and Fig.1-8):

Retrieving all analog video TV standards supported by the tuning system (Col.8, lines 40-43, "table in memory 9 in which corresponding countries and preferential orders of formats, to be searched"; therefore, extracted and compared with embedded channel data).

Retrieving a current analog video TV standard in use (Col.7, lines 51-55, which is based on the compared embedded data of the channel).

Setting a current TV channel (Col.9, lines 33-43).

Retrieving the current TV channel (Col.9, lines 45-50).

Retrieving highest and lowest channels available (Fig.3, element S8; Col.11, lines 17-26 and Fig.9).

Scanning for a precise signal on the current TV channel's frequency (Fig.4, 5, 6 and 12 and Col.13, line 45 – Col.15, line 53).

Setting a country code, retrieving the country code (Col.13, lines 50-54).

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Setting a storage index for regional channel to frequency mappings (Fig.2a, b, c, d, e, 11c-d, 14) (Fig.17, element 13 and 17; Fig.20a-b).

Retrieving the storage index (Fig.16, element S94).

Retrieving a number of TV sources plugged into the tuning system (sources are met in view of different channels on different frequencies, associated with different broadcasting stations, which may be from different countries, as disclosed).

Setting and retrieving a type of tuning system (detection and setting by retrieving of a video decoding format standard, associated with different countries, such as PAL, NTSC, Secam etc. in order to decode the received TV signal, see col. 8, lines 40-52).

Retrieving a current video frequency (met by the tuner); and

Retrieving a current audio frequency (met in view of de-multiplexing the audio component, in the received TV signal having video and audio to an output means "speaker").

Regarding claims 28 and 29, see analysis of claim 7 in combination of claim 8.

Regarding claim 30, Kohashi further discloses the step of storing the selected set of TV channel-to-TV frequency mapping (Fig.4, element S13; Col.8, lines 32-56).

Regarding method claim 34, see analysis of apparatus claim 3.

3. Claims 9, 13,15, 16, 18, 19, 20, 22, 23, 24, 39 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kohashi (EP 0 723367 A2) in view of Yazolino et al. (US 5355162).

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Regarding claims 9, 15, 16 and 24 Kohashi does not specifically discloses embodied in software stored on a computer-readable storage medium.

Yazolino discloses embodied in software stored on a computer-readable storage medium (Fig.3, elements 212 and 150; Col.12, table 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kohashi system by implementing "control software" as taught by Yazolino in order to take the advantage of the processing power of the CPU to generate more than one control signal to specify the signal format of the currently selected channel (see Yazolino, Col.19, lines 30-40).

Neither Kohashi nor Yazolino specifically disclose embodied in software as a dynamic linked library (DLL).

Official Notice is taken that software written, as DDL file is well known in the computer art under Microsoft Windows environment. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kohashi by developing software for a specific television tuning system, as DLL file, so that the DLL file does not consume memory until it is used, and because DLL is a separate file, a programmer can make corrections or improvements to only that module without affecting the operation of the calling program or any other DLL files.

Regarding claim 13, in combination with claims 5, 6, 8, 9, 10 and 12; Kohashi further discloses a television tuning system comprising:

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A tuner circuitry to tune to various television frequencies carrying television video signals (Fig.1, element 2)

A video decoder circuitry coupled to receive a television video signal from the tuner circuitry and to convert the television video signal to digital video data (Fig.1, elements 3, 5,15).

A tuner module coupled to adjust the tuner circuitry to a particular television frequency (Fig.1, elements 2, 3, 6, 7, 8, 9, 10, 12).

A video decoder module to decode the digital video data according to a particular video standard (Fig.1, elements 15 and 16).

Regarding claim 18, see analysis of claims 2 and 4.

Regarding claim 19, see analysis of claim 13.

Regarding claim 20, see analysis of claim 2.

Regarding claim 22, see analysis of claim 4.

Regarding claim 23, Kohashi further discloses a code segment to store of broadcast frequencies that map to corresponding channels within the particular country for subsequent retrieval (Fig.2C and 11C).

Regarding claims 39 and 42, see analysis of claim 9.

4. Claim 31 rejected under 35 U.S.C. 103(a) as being unpatentable over Kohashi (EP 0 723367 A2) in view of Yazolino et al. (US 5355162).

Regarding method claim 31, see analysis of claim 9.

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5. Claims 14 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kohashi (EP 0 723367 A2) in view of Yazolino et al. (US 5355162).

Regarding claims 14 and 21, Kohashi discloses a country table list country (Fig. 2C and 12; Col.8, lines 20-55+).

Neither Kohashi nor Yazolino fails to specifically disclose country table lists according to ITU code.

Official Notice is taken that the ITU standard provides a table to identify each country used in the transmission/communication to identify each country, as is well known to those skilled in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the ITU standard designation codes considered a design choice to conform to a developed and utilized standard such as the ITU, providing the designations for each country so that upon decoding of the codes associated with the channels associated with the countries, merely or based on the knowledge of conforming to the ITU designations/standard.

6. Claims 17, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kohashi (EP 0 723367 A2) in view of Yazolino et al. (US 5355162).

Regarding claims 17 and 25, Neither Kohashi nor Yazolino specifically discloses that the software supports API.

Official Notice is taken that API is well known in the computer art under Microsoft Windows environment. Therefore, it would have been obvious to one of ordinary

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skill in the art at the time the invention was made to modify Kohashi in combination with Yazolino by using API so that the Kohashi and Yazolino's application software could use those set of routine (API) to direct the performance of procedures by the computer OS.

Regarding claim 26, in combination with claim 17, Kohashi further discloses methods for performing the following functions (see Col.5, lines 2-14, Col.9, line 1 - Col.11, lines 10 and Fig.1-8):

Setting a current TV channel (Col.9, lines 33-43).

Retrieving the current TV channel (Col.9, lines 45-50).

Setting the country code (Col.13, lines 50-54).

Setting a storage index for regional channel to frequency mappings (Fig.2a, b, c, d, e, 11c-d, 14) (Fig.17, element 13 and 17; Fig.20a-b); and

Retrieving the storage index (Fig.16, element S94).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sato (EP 0772354A2) shows a receiver and receiving method.

Nishigaki (EP 0725542A2) shows a television devices.

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Contact Fax Information

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks Washington, D.C. 20231

or Faxed to:

(703) 872-9314, (for formal communication intended for entry)

or:

(703) 308-5399, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Contact Information

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is (703) 308-7372. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-5399.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

HT:ht 7/24/01

ANDREW FAILE SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2600

Arrentarile